

The Mayor and Council of the Town of Townsend

141 Main Street, P.O. Box 223, Townsend, DE 19734
Phone (302) 378-8082 Fax (302) 378-7099

Introduced by: Councilman Edgar Dugan
Introduced on: May 18th, 2022

ORDINANCE NO. 2022-003

AN ORDINANCE TO AMEND CHAPTER 4 OF THE TOWNSEND MUNICIPAL CODE RELATING TO THE FEE SCHEDULE



Mayor

Councilman
Edgar Dugan

Councilwoman
Scott Lobdell

Councilman
Joshua Mertz

Councilwoman
Eschalla Clarke

Town Manager
Antonina Tantillo

WHEREAS, Chapter 4 of the Townsend Municipal Code establishes fee requirements for the Town of Townsend, and;

WHEREAS, the Town of Townsend adopted Ordinance 2016-05 to establish the Fee Schedule for the Town of Townsend in 2016 and such Ordinance was updated by Resolution 2019-01 in 2019, and;

WHEREAS, the Town of Townsend Finance Committee, Town Manager, Financial Officer have made recommendations to amend the Fees Enumerated in the Town of Townsend, and;

BE IT ENACTED BY THE TOWN COUNCIL OF THE TOWN OF TOWNSEND (a majority of the members elected thereto concurring therein), that the following revisions hereby be incorporated into the noted sections of Chapter 4 of the Townsend Municipal Code with additions shown by underline and deletions shown by strikethrough as follows:

Section 1. Amend Chapter 4, §4.12.020 Fees Enumerated of the Townsend Municipal Code of Ordinances, Town of Townsend with additions shown by underline and highlight and deletions shown by strikethrough as follows:

Chapter 4.

4.12.020 Fees Enumerated

A. Board of Adjustment

| | FEE |
|---|-----------------|
| Application for variance hearing | \$500.00 |
| <u>Application for variance hearing- Residential District</u> | <u>\$300.00</u> |
| <u>Application for variance hearing- Non-residential District</u> | <u>\$500.00</u> |
| Application for special exception hearing | \$350.00 |
| Application for waiver hearing | \$350.00 |

B. Contractor's License. \$125.00

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C. Land Development.

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|---|---|
| Minor Subdivision or Land Development Plan | FEE |
| - Residential | |
| <input type="checkbox"/> Filing fee (nonrefundable) | \$150.00 \$300.00 |
| <input type="checkbox"/> Initial engineering and plan review | \$2,000 (plus \$115.00 per dwelling unit or acre, whichever is greater) |
| Minor Subdivision or Land Development Plan | |
| - Non-Residential | |
| <input type="checkbox"/> Filing fee (nonrefundable) | \$250.00 \$500.00 |
| <input type="checkbox"/> Initial Engineering and Plan Review Fee Escrow | |
| <input type="checkbox"/> less than 5 acres | \$3,000.00 |
| <input type="checkbox"/> 5 acres and above | \$4,000.00 |
| Major Subdivision or Land Development Plan | |
| - Residential | |
| <input type="checkbox"/> Filing Fee (non-refundable) | \$350.00 \$500.00 |
| <input type="checkbox"/> Initial Engineering and Plan Review Fee Escrow | \$4,000.00 plus \$115.00 per dwelling unit or acre, whichever is greater. |
| Major Subdivision or Land Development Plan | |
| - Non-Residential | |
| <input type="checkbox"/> Filing Fee (non-refundable) | \$500.00 \$600.00 |
| <input type="checkbox"/> Initial Engineering and Plan Review Fee Escrow | |
| <input type="checkbox"/> less than 5 acres | \$4,000.00 |
| <input type="checkbox"/> 5 acres and above | \$5,000.00 |
| Land and Development Inspection Escrow Account/Guaranty Requirements | |
| <input type="checkbox"/> Inspection Fee Escrow - 5% of the total cost estimate (for both on-site and off-site improvements) | 5% of the total cost estimate (for both on-site and off-site improvements). \$500.00 minimum escrow deposit |
| <input type="checkbox"/> Performance Guarantee | 120% of the total cost estimate in the form of cash, irrevocable letter of credit, certified check, or performance bond |
| <input type="checkbox"/> Maintenance Bond | 15% of the total cost estimate |
| Administrative fees and fines | |

| | | |
|---|---|-------------------|
| Building Fee (One & Two Family Dwellings) | \$12.00 per \$1,000.00 valuation based on current ICC Building Valuation Data Table applying a Local Factor of 0.75 <u>\$15/\$1,000.00 valuation based on current ICC Building Valuation Data Table applying a Local Factor of 0.75</u> | |
| Building Fee (Other than One & Two Family Dwellings) | \$12.00 per \$1,000.00 valuation up to \$1,000,000.00 and \$5.00 per \$1,000.00 for anything exceeding \$1,000,000.00 based on the most current ICC Building Valuation Data Table <u>\$15/\$1,000.00 valuation based on current ICC Building Valuation Data Table applying a Local Factor of 0.75 \$8.00 per \$1,000.00 for anything exceeding \$1,000,000.00 based on the most current ICC Building Valuation Data Table</u> | |
| Administrative Fee | \$100.00 | <u>\$125.00</u> |
| <u>Plan Revision Fee for Previously Approved Construction Permits</u> | <u>\$150.00</u> | |
| Temporary Certificate of Occupancy | \$75.00 | <u>\$100.00</u> |
| Certificate of Occupancy | \$100.00 | <u>\$125.00</u> |
| Returned Checks | \$50.00 | |
| <u>First Occurrence</u> | <u>\$60.00</u> | |
| <u>Second Occurrence</u> | <u>\$75.00</u> | |
| Impact Fees | | |
| Roadway | \$2,750.00 | |
| General | \$2,200.00 | <u>\$3,500.00</u> |
| Sidewalk | \$250.00 | <u>\$500.00</u> |
| <u>Public Safety Impact Fee</u> | <u>\$1,500.00</u> | |
| Townsend Volunteer Fire Assistance | \$750.00 | |
| Permit Extension (valid for 180 days) | \$50.00 | |
| <u>First Occurrence</u> | <u>\$50.00</u> | |
| <u>Second Occurrence</u> | <u>\$75.00</u> | |
| <u>Third Occurrence or Beyond</u> | <u>\$100.00</u> | |
| Lines & Grades (each review) | \$450.00 | <u>\$550.00</u> |
| Review of New Home Construction Drawings (each review) | \$575.00 | <u>\$650.00</u> |
| Gas Line Pressure Test - when required | \$50.00 | <u>\$75.00</u> |
| Trade Permit Fees | | |

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| <input type="checkbox"/> | Mechanical Permit | \$75.00 |
| <input type="checkbox"/> | Plumbing Permit | \$75.00 |
| <input type="checkbox"/> | Re-inspection Fee (Due prior to re-inspection) | \$70.00 |
| <input type="checkbox"/> | Light Pollution Violation Penalty Fees (each offense) | \$50.00 |
| <input type="checkbox"/> | Unlawful Burning In Town Limits (each offense) | \$25.00 - \$100.00 |
| <input type="checkbox"/> | Unlawful Use of Orchard Lane | |
| <input type="checkbox"/> | First offense | 5 Hours of community service plus \$50.00 fine |
| <input type="checkbox"/> | Second offense | 10 hours of community Service plus \$100.00 fine |
| <input type="checkbox"/> | Each subsequent offense | \$200.00 fine |
| <input type="checkbox"/> | Town Mowing of non-compliant properties | \$75/hr, minimum of 2 hours \$90.00/ hour- for a minimum of 2 hours |
| <input type="checkbox"/> | Permit Fees | |
| <input type="checkbox"/> | Trade Permit Fees | |
| <input type="checkbox"/> | Mechanical Permit | \$75.00 \$100.00 |
| <input type="checkbox"/> | Plumbing Permit | \$75.00 \$100.00 |
| <input type="checkbox"/> | Residential Permit Flat Fees | |
| <input type="checkbox"/> | Fence | \$100.00 \$125.00 |
| <input type="checkbox"/> | Shed | \$100.00 |
| <input type="checkbox"/> | <u>200 Square Feet or Less</u> | \$150.00 |
| <input type="checkbox"/> | <u>200 Square Feet or Above- Ancillary Structure</u> | \$15/\$1,000.00 valuation based on current ICC Building Valuation Data Table applying a Local Factor of 0.75 |
| <input type="checkbox"/> | Permanently Installed Generator | \$125.00 \$150.00 |
| <input type="checkbox"/> | Fireplace | \$125.00 Plus HVAC & Plumbing \$175 Plus HVAC & Plumbing |
| <input type="checkbox"/> | In-Ground Pool | \$525.00 |
| <input type="checkbox"/> | Above-Ground Pool | \$175.00 |
| <input type="checkbox"/> | Hot Tub | \$175.00 |
| <input type="checkbox"/> | <u>Flagpole</u> | \$100.00 |
| <input type="checkbox"/> | Residential Permit Fees per square foot <u>(All permit fees assessed by square foot shall be subject to the fees below, as applicable)</u> | |
| <input type="checkbox"/> | Administrative Fee | \$100.00 \$125.00 |
| <input type="checkbox"/> | <u>Plan Revision Fee for Previously Approved Construction Permits</u> | \$150.00 |
| <input type="checkbox"/> | Temporary Certificate of Occupancy | \$75.00 \$100.00 |
| <input type="checkbox"/> | Certificate of Occupancy | \$100.00 \$125.00 |

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| Patio | \$6.50 \$8.00/ square foot |
| Sidewalk | \$6.50 \$8.00/ square foot |
| Driveway | \$6.50 \$8.00/ square foot |
| Basement | \$6.00 \$10.00/ square foot |
| Deck | \$8.50 \$10.00/ square foot |
| Addition | based on ICC Building Valuation Table \$12.00 per \$1,000.00 valuation \$15/\$1,000.00 valuation based on current ICC Building Valuation Data Table |
| Garage | based on ICC Building Valuation Table \$12.00 per \$1,000.00 valuation \$15/\$1,000.00 valuation based on current ICC Building Valuation Data Table |
| Enclosed Porch (No HVAC) | \$15/\$1,000.00 valuation based on current ICC Building Valuation Data Table |
| Open Porch | \$15/\$1,000.00 valuation based on current ICC Building Valuation Data Table |
| Carport | \$15/\$1,000.00 valuation based on current ICC Building Valuation Data Table |
| Rooftop Solar Panels | \$15/\$1,000.00 valuation based on current ICC Building Valuation Data Table |
| Ground- Mounted Solar Panels | \$15/\$1,000.00 valuation based on current ICC Building Valuation Data Table |
| Altering of existing spaces (moving of interior walls) | \$18.00 \$20.00/ square foot |
| Non-Residential Fees | |
| Impact Fees | |
| Commercial | \$1.00 per sq. ft. of building area \$2.00 per sq. ft. of building area |
| Industrial | \$1.00 per sq. ft. of building area \$2.00 per sq. ft. of building area |
| Plan Review Fees (Commercial/Industrial): | \$0.006 for each dollar of value with a minimum of \$200.00 \$0.009 for each dollar of value with a minimum of \$300.00 |

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| Inspection Fees (Commercial/Industrial) | |
| Valuation <\$1,000.00 | \$50.00 <u>\$100.00</u> |
| Valuation> \$1,000.00 < \$1,000,000.00 Per \$1000.00 or fraction thereof | \$10.00 <u>\$20.00</u> |
| Valuation> \$1,000,000.00 for each \$1,000 or fraction thereof | \$3.00 <u>\$5.00</u> |
| Fence | \$200.00 <u>\$250.00</u> |
| Fence (Replacement Only) | \$100.00 <u>\$150.00</u> |
| Signs (Permanent) per/sq. ft | \$7.00 per/sq. ft <u>\$10.00 per/sq. ft</u> |
| Signs (Temporary less than 30 days) | \$50.00 |
| Signs (Temporary 30-90 days) | \$100.00 |
| Temporary Office Trailers (< 180 days) | \$60.00 |
| Demolition Permit | \$600.00 |
| Sketch Plan | |
| Filing Fee (non-refundable) | \$700.00 <u>\$800.00</u> |
| Grading Permit | |
| Filing Fee (non-refundable) | \$100.00 <u>\$150.00</u> |
| Initial Engineering and Plan Review Escrow | \$450.00 <u>\$550.00</u> |

~~**D. Trash And Recycling Services.**~~

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| | FEE |
| Monthly Charge | \$25.00 |
| Administrative Fee | \$2.50 |
| Monthly Late Fee | 10% of your current month's balance due |
| Resume Fee is required to restore discontinued service of trash and recycling | \$50.00 |

~~**E. D. General Office Fees.**~~

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| | FEE |
| Copies | |
| | .10 per copy for first 1-10 copies |
| | .25 per copy for each copy after the first ten |
| Fax | \$1.00 for first ten pages, \$1.00 per page after the first ten |
| Notary | FREE |
| <u>Resident</u> | <u>Free</u> |
| <u>Non-Resident</u> | <u>\$5.00</u> |

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| <u>Property Information Requests- Settlements & Refinance</u> | <u>\$10.00 per request (including updated information)</u> |
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~~F.~~ E. *Municipal Park Rental.*

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| | FEE |
| Pavilion/Gazebo | |
| <u>Gazebo Rental</u> | |
| Residents Town of Townsend Residents (within incorporated Town limits) | <u>\$75.00</u> |
| Non-Residents | <u>\$125.00</u> |
| <u>Pavilion Rental (Rental is for a 3 hour rental period)</u> | |
| Town of Townsend Residents (within incorporated Town limits) | \$50.00 <u>\$75.00</u> |
| Non-Profit organizations | \$50.00 <u>\$75.00</u> |
| Non-Residents | \$100.00 <u>\$125.00</u> |
| All pavilion and gazebo rentals require a \$100.00 refundable deposit against damage | |
| Baseball/Multi-Purpose Field Reservation requires a \$100.00 refundable deposit against damage | FREE <u>\$100 Organization Reservation per Season</u> + <u>\$100 deposit against damage</u> |

~~G.~~ F. *Business License.*

1. Licenses shall be required for the following trades, businesses and occupations and the license fee shall be set forth as reflected herein. The remaining provisions of TMC 6.04, not conflicting herewith, remain in full force and effect.

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| | FEE |
| Advertising Agency | \$125.00 |
| Amusement Operator | \$125.00 |
| Architect (Per Architect) | \$250.00 |
| Attorney-at-Law (Per Attorney) | \$250.00 |
| Auctioneer | \$125.00 |
| Bank, Trust, Loan & Credit Union | \$250.00 |
| Barber - First 2 | \$125.00 |
| Barber - 3 or more | \$250.00 |
| Beautician - First 2 | \$125.00 |
| Beautician - 3 or more | \$250.00 |
| Bowling Alley | \$125.00 |

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|---|-----------|
| Broadcasting Station | \$125.00 |
| Broker (Per Broker) | \$125.00 |
| Car Wash | \$125.00 |
| Certified Public Accountant (Per Accountant) | \$250.00 |
| Cesspool Cleaner | \$125.00 |
| Chiropractor (Per Chiropractor) | \$250.00 |
| Coin Operated Amusement Machine Owner | \$125.00 |
| Coin Operated Electronic Video Machine Owner | \$125.00 |
| Coin Operated Vending Machine Owner | \$125.00 |
| Commercial Sign Business | \$125.00 |
| Computer Related Services | \$125.00 |
| Day Care Operator - 6 Children and under | \$125.00 |
| Day Care Operator - 7 Children and above | \$250.00 |
| Dental Lab | \$125.00 |
| Dentist (Per Dentist) | \$250.00 |
| Distributor | \$125.00 |
| Drayman or Mover | \$125.00 |
| Eating Establishment | \$125.00 |
| Employment Agent | \$125.00 |
| Entertainers | \$125.00 |
| Entertainment Agent or Operator | \$125.00 |
| Finance or Small Loan Agency | \$250.00 |
| Gas, Light, Power, Cable TV & Telephone Company | \$825.00 |
| General Repairman | \$125.00 |
| Health Spa or Health Club | \$125.00 |
| Income Tax Consultant | \$250.00 |
| Incorporator | \$125.00 |
| Insurance Adjustor Office | \$125.00 |
| Insurance Agent | \$125.00 |
| Janitorial & Cleaning Service | \$125.00 |
| Laundry Service Operator | \$125.00 |
| Linen Supplier | \$125.00 |
| Manicurist | \$125.00 |
| Manufactured Home Park (Per Space) | \$6.00 |
| Manufacturer's Agent or Representative | \$125.00 |
| Mercantile Agency or Collection Agency | \$125.00 |
| Merchant | See below |

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| Motel/Hotel (5 rooms - \$5.00/Room) | \$125.00 |
| Motion Picture Theater | \$125.00 |
| Motor Vehicle Serviceman | \$125.00 |
| Nursing, Rest or Convalescent Home | \$125.00 |
| Open Market Operator | \$125.00 |
| Optometrist (Per Optometrist) | \$250.00 |
| Outdoor Music Festival Promoter | \$250.00 |
| Parking Lot or Garage Operator | \$125.00 |
| Pawnbroker | \$125.00 |
| Pest Control Services | \$125.00 |
| Pharmacist | \$250.00 |
| Photographer | \$125.00 |
| Physical Therapist (Per Therapist) | \$250.00 |
| Physician and/or Surgeon (Per Doctor) | \$250.00 |
| Plant Nursery and/or Florist | \$125.00 |
| Podiatrist (Per Podiatrist) | \$250.00 |
| Pool Table Operator | \$125.00 |
| Printer | \$125.00 |
| Private Detective Agency | \$125.00 |
| Professional Engineer (Per Engineer) | \$250.00 |
| Professional Land Surveyor (Per License) | \$250.00 |
| Psychologist (Per Psychologist) | \$250.00 |
| Public Accountant (Per Accountant) | \$250.00 |
| Public Stenographer | \$125.00 |
| Publishers | \$125.00 |
| Real Estate Brokers, Appraisers & Managers | \$125.00 |
| Real Estate Property Manager | \$125.00 |
| Real Estate Salesperson or Associate Broker | \$125.00 |
| Refuse Haulers | \$300.00 + \$75/truck |
| Rental Services | \$125.00 |
| Sales Representative | \$125.00 |
| Schools & Education Services | \$125.00 |
| Scientific Laboratory | \$125.00 |
| Scrap & Waste Material Services | \$125.00 |
| Secondhand Dealer of Precious Metals | \$125.00 |
| Security Services | \$125.00 |
| Shoe Repairman | \$125.00 |

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| Tailor & Garment Services | \$125.00 |
| Taxicab or Bus Operator | \$125.00 |
| Taxidermist | \$125.00 |
| Telephone Answering Service | \$125.00 |
| Television Repairman | \$125.00 |
| Tourist Home | \$125.00 |
| Travel Agency | \$125.00 |
| Undertaker | \$125.00 |
| Veterinarian | \$250.00 |
| Warehouseman | \$125.00 |
| Wholesale News Agency | \$125.00 |
| All Businesses Not Listed | \$125.00 |
| Manufacturers shall pay a license fee at the rate of .00046 of the aggregate gross receipts over \$400,000; provided, however, that the minimum license fee shall be seven hundred and fifty dollars (\$750.00) | |
| Merchants and bottlers shall pay a license fee at the rate of .00046 of the aggregate gross purchases for resale over \$400,000; provided, however, that the minimum license fee shall be seven hundred and fifty dollars (\$750.00). Businesses will sign an affidavit stating their aggregate gross receipts or aggregate gross purchases for resale | |

2. Exemption. Any manufacturer that has aggregate gross receipts or any merchant or bottler that has aggregate gross purchases for resale under \$100,000 will pay a license fee of one hundred twenty-five dollars (\$125.00). However, the licensing office must receive a letter stating this by January 31 of the subject year.

~~H.~~ **G.** Administrative penalties for failure to obtain a permit and noncompliance with conditions or permit approval and zoning requirements. hereof.

1. For the following violations the penalty shall be that set forth in paragraph H,2.

- a. Failure to obtain a building permit
- b. Failure to schedule inspections
- c. Failure to obtain a certificate of occupancy
- d. Violations of permitting conditions or requirements

2. For the first violation a monetary penalty shall be assessed of not less than \$100 nor more than \$500. Each subsequent violation shall incur a penalty of not less than \$200 nor more than \$1,000.

~~I.~~ **H.** Rental Ordinance Fees.

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| | FEE |
| License fee per building | \$50.00 \$60.00 |

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| Additional fee for each rental unit (above 1) within building | \$10.00 |
| Inspection Fee - single family home | \$75.00 \$90.00 |
| Inspection Fee - each residential unit with building | \$50.00 |
| Re-inspection Fee | \$70.00 \$110.00 |

Section 2. If any provision of this Act, or its application to any person or circumstance is held invalid, the remainder of this Act, or the application of the provision to other persons or circumstances shall remain unaffected.

Section 3. This Act shall become effective immediately upon its passage into law.

SYNOPSIS

This Act revises certain fees found throughout the code, adds additional fees, and re-organizes some fees throughout the code for ease of reference.

Introduction May 18, 2022
Public Hearing
Final Reading
Adoption

Town of Townsend, New Castle County, DE